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20 March 1956

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT: General Counsel's Functions - Killian Committee

1. Disregarding the legal services that are similar to those elsewhere in Government, the following are the main points that make our work somewhat different:

a. Our basic and enabling legislation has provisions and authorities which are unique in Government, particularly in funding and expenditure powers and exceptions from normal Government review procedures. It is the lawyers' job to ascertain requirements for such legislation and to draft and interpret such laws.

b. The Director has expenditure authority which is not reviewable outside the Agency, and in the exercise of that authority this Office acts in place of the Comptroller General. The philosophy is to follow, insofar as practicable, standard Government principles but to assure that those Agency activities which cannot follow such principles are supported financially in an effective manner.

c. The Agency is exempt from the Classification Act and the Director has authority to terminate any employee when he deems it in the national interest. Such authority is not subject to Civil Service Commission review. Employee status and problems involved in employment and termination of personnel present legal questions not encountered elsewhere. Similarly, the Agency employs throughout the world a variety of people in various different capacities, many of which are not consistent with or even permissible under the authorities of other agencies.

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problems created by cover and security are a considerable burden. The liquidation of operational projects are occasionally matters for lawyers to handle, but the legal determinations must be made with due regard for the requirements of the covert operations.

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2. In addition to the fields discussed above, the wide range of Agency interests has put us in touch with all aspects of the law, even such special fields as admiralty, divorce, international, copyright and patent law. The specialized relation of the intelligence arm of the Executive to the Congressional and Judicial branches is a whole book in itself. Throughout all the problems mentioned above runs the fundamental difference from normal Government counseling that we are unable because of security and operational considerations to consult with the normal Government authorities in these matters and accept their rulings in specific cases.

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LAWRENCE R. HOUSTON
General Counsel

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